

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>JAMIE LYNN GALLIAN 16222 MONTEREY LANE UNIT 376 HUNTINGTON BEACH, CA 82649 (714)321-3449 JAMIEGALLIAN@GMAIL.COM</p> <p><input checked="" type="checkbox"/> Individual appearing without an attorney <input type="checkbox"/></p>	<p>FOR COURT USE ONLY</p>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION</p>	
<p>In re:</p> <p>JAMIE LYNN GALLIAN,</p> <p>Debtor(s)</p>	<p>CASE NO.: 8:21-bk-11710-SC CHAPTER: 7</p> <p>[Debtor's Notice of Amending HOA ORDER Doc 265, submitted via L.O.U.] NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: <u>(title of motion¹):</u> DEBTOR'S AMENDED MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) Doc. 244</p>

PLEASE TAKE NOTE that the Debtor, JAMIE LYNN GALLIAN files this [AMENDED] Order titled NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: DEBTOR'S AMENDED MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) WAS DENIED WITHOUT PREJUDICE lodged on (date) November 15, 2022 and is attached. The Court's posted tentative ruling is attached as Exhibit 1.

This Order relates to the motion which is Docket NO. 244.

¹ Please abbreviate if title cannot fit into text field.

JAMIE LYNN GALLIAN
16222 Monterey Lane Unit 376
Huntington Beach, CA 92649
(714) 321-3449
jamiegallian@gmail.com

Debtor, IN PRO PER

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re:

JAMIE LYNN GALLIAN,

Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

**ORDER DENYING DEBTOR'S
AMENDED MOTION TO AVOID LIEN
UNDER 11 U.S.C. 522(f)
WITHOUT PREJUDICE**

[DOCKET NO. 244]

Hearing

Date: November 15, 2022
Time: 11:00 a.m.
Place: Courtroom 5C
U.S. Bankruptcy Court
411 W. Fourth Street
Santa Ana, CA 92501

The Debtor's Amended Motion to Avoid Lien Under 11 U.S.C. § 522(f) Docket No. 244 came on for regular hearing on November 15, 2022, before the U.S. Bankruptcy Court for the Central District of California, Santa Ana Division, the Honorable Scott C. Clarkson presiding. Movant Jamie Lynn Gallian appeared in pro per. Brandon J. Iskander of Goe Forsythe & Hodges LLP appeared on behalf of respondent The Huntington Beach Gables Homeowners Association, A California Non-profit Mutual Benefit Corporation.

The Court published a tentative ruling to deny the Motion. A true and correct copy of the Court's tentative ruling for the November 15, 2022, hearing is attached as **Exhibit 1**.

1 **IT IS ORDERED,**

- 2 1. The Motion is DENIED WITHOUT PREJUDICE and
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- 4 2. If debtor's motion for reconsideration [Docket No. 157] is granted,
- 5 Debtor may renew this Motion.
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EXHIBIT 1

EXHIBIT 1

**United States Bankruptcy Court
Central District of California
Santa Ana
Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, November 15, 2022

Hearing Room 5C

11:00 AM

8:21-11710 Jamie Lynn Galian

Chapter 7

#19.00

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With The Huntington Beach Gables Homeowners Association
(Amended Motion filed 10/7/2022)

Docket 244

Tentative Ruling:

Tentative for 11/15/22 is to DENY without prejudice. Debtor cannot establish that the lien of Huntington Beach Gables HOA impairs an exemption she has asserted in the Property since pursuant to the order entered August 5, 2022 [Dk. 177], "[a]ny claim of exemption by Debtor in the Property is disallowed." If Debtor's motion for reconsideration is granted, Debtor may renew this motion.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

Participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1610938469>

Meeting ID: 161 093 8469

Password: 166049

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the following audio conference information:

**United States Bankruptcy Court
Central District of California
Santa Ana
Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, November 15, 2022

Hearing Room 5C

11:00 AM

CONT... Jamie Lynn Gallian

Chapter 7

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 093 8469

Password: 166049

For further details, please consult the instructions on the Court's website
<https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

As noted in the Court's Zoom Video Hearing Guide, located at <https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

Party Information

Debtor(s):

Jamie Lynn Gallian Pro Se

Movant(s):

Jamie Lynn Gallian Pro Se

Trustee(s):

Jeffrey I Golden (TR) Represented By
Aaron E DE Leest
Eric P Israel

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 5801 SKYLAB ROAD HUNTINGTON BEACH, CA 92647

A true and correct copy of the foregoing document entitled: **DEBTOR'S NOTICE OF [AMENDED] HUNTINGTON BEACH GABLES HOA NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE DOC 265** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) November 15, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Bradford Barnhardt** bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, kfrederick@ecf.courtdrive.com
- **Aaron E. DE Leest** adeleest@DanningGill.com, danninggill@gmail.com; adeleest@ecf.inforuptcy.com
- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com
- **Jeffrey I Golden (TR)** lwerner@go2.law, jig@trustesolutions.net; kadele@go2.law
- **D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **Brandon J Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Eric P Israel** eisrael@DanningGill.com, danninggill@gmail.com; eisrael@ecf.inforuptcy.com
- **Laila Masud** lmasud@marshackhays.com, lmasud@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **Mark A Mellor** mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **Valerie Smith** claims@recoverycorp.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL: On (date) November 15, 2022 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) November 15, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

EMAIL TO: JANINE B. JASSO J9_JASSO@YAHOO.COM

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 15, 2022 ROBERT MCLELLAND
Date Printed Name

Robert McLelland
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.